

Arrest on Out-of-District Offense

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

ARREST ON OUT-OF-DISTRICT OFFENSE

Magistrate Case Number:

12 MJ0972

The person charged as David Baker, a.k.a. "Tyrone Jackson" now appears before this United States District Court for an initial appearance as a result of the following charges having been filed in the United States District Court for the Eastern District of New York with Failure to Appear in violation of 18 U.S.C. 3146 Failure to Appear Before a Court As Required By the Conditions of Release.

The charging documents and the warrant of the arrest of the defendant which was issued by the above United States District Court are attached hereto.

I hereby swear under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

DATED: 3/18/12



Sean Wontor

(Name)

Deputy United States Marshal

Reviewed and Approved:

Dated: 3-19-12



Assistant United States Attorney

DOA 3/16/12
bm

MAGISTRATE JUDGE INFORMATION SHEET**MAGISTRATE CASE NUMBER:**

1. Hearing Date _____ 2. AUSA _____ 3. Mag Judge **12 MJ0972**
 4. USAO # _____ 5. Agency # U.S. Marshals Service
 6. Defendant #: 1 of 1 7. Case Agent DUSM Sean Wontor
 8. Charges: Title 18 U.S.C. 3146 Failure to Appear Before a Court As Required By the Conditions of Release.
 9. Defendant's Name: David BAKER 10. Social Security #: _____
 11. Alias: JACKSON, Tyrone Stephen 12. Birth Date: 03/16/1970
 13. Address: 480 Alta Rd. San Diego, CA (R.J. Donovan State Prison)
 14. Arrest Date: 03/16/2012 15. Place of Arrest: R.J. Donovan 16. Date Committed: _____
 17. Agent(s): DUSM Wontor / DUSM Foreman 18. Office Phone #: _____
 19. Agency: U.S. Marshals Service 20. Station: S/CA San Diego
 21. Custody: Yes ☒ No
 22. Citizenship: U.S. ☒ Mex _____ Other _____
 23. INS Status: Res ☐ BCC ☐ Other ☐
 24. Prior Deport: _____ 25. IDENT Hits: _____
 26. Prior Record: 18 USC 2314 Grand Theft of US Government Property,
 27. Drug Usage: Heroin and Crack Cocaine How Evidenced? Previous Convictions
 28. Cash on Defendant: N/A 29. Other Evidence: _____
 30. Agent Fact Summary: _____

BAKER was located in custody at RJ Donovan State Prison by Deputies from E/NY based on a FBI fingerprint match for the subject. A detainer was filed and when BAKER completed his state time he was taken into custody by DUSM's Wontor and Foreman and booked into US Marshals cellblock.

31. Agent's Info re: Defendant (Employment, Family, etc.) _____
 32. Def Attorney: Appointed ☐ Retained ☐
 33. DEFENSE ATTORNEY: _____ PHONE NUMBER: _____
 34. Next Date for: PH Removal Date _____ Time _____ Detention Date _____ Time _____
 35. Bond Set: _____
 36. Material Witness Custodial Status: Custody _____ Not in Custody _____
 37. MATERIAL WITNESS ATTORNEY: _____ PHONE NUMBER: _____

Court's Orders/Motions

Government's Notes for Bail

United States District Court

EASTERN

DISTRICT OF

NEW YORK

UNITED STATES OF AMERICA

V.

WARRANT FOR ARREST

DAVID BAKER, a/k/a "Tyrone Jackson,"

Defendant. CASE NUMBER: CR 96 109

To: The United States Marshal
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest DAVID BAKER, a/k/a "Tyrone Jackson,"
Name

and bring him or her forthwith to the nearest magistrate to answer a(n)

☐ Indictment ☐ Information ☐ Complaint ☒ Order of court ☐ Violation Notice ☐ Probation Violation Petition

charging him or her with (brief description of offense)

A FAILURE TO APPEAR BEFORE A COURT AS REQUIRED BY THE CONDITIONS OF RELEASE.

in violation of Title 18 United States Code, Section(s) 3146

JOHN L. CADEN

Name of Issuing Officer

Signature of Issuing Officer

UNITED STATES MAGISTRATE-JUDGE

Title of Issuing Officer

3/27/96, BROOKLYN, NEW YORK

Date and Location

Bail fixed at \$ _____ by _____
Name of Judicial Officer

RETURN

This warrant was received and executed with the arrest of the above-named defendant at _____

DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		

Waiver of Rule 5(c) and 5.1(a) Hearings

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

v.

DAVID BAKER aka Tyrone Jackson

Magistrate Case
No. 12MJ0972WAIVER OF RULE 5(c) and 5.1(a) HEARINGS
(Excluding Probation/Supervised Release Violation)**FILED**

MAR 29 2012

CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

I, DAVID BAKER aka Tyrone Jackson, understand that in the Eastern District of New York, charges are pending alleging violation of Title 18, United States Code, Section 3146, and that I have been arrested in the Southern District of California and taken before a United States Magistrate Judge, who informed me of the charge and of my right to:

1. Retain counsel or request the appointment of counsel if I am unable to retain counsel;
2. Request transfer of the proceedings to this district pursuant to Rule 20, Fed.R.Crim.P., in order to plead guilty if the United States Attorneys in both districts approve the transfer in writing;
3. A preliminary hearing if required by Federal Rules of Criminal Procedure 5.1 or 58(b)(2)(G) (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held either in this district or the district of prosecution; and
4. An identity hearing to determine if I am the same person named in the charging document.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

- ☒ identity hearing
- ☐ preliminary hearing
- ☐ identity hearing and have been informed I have no right to a preliminary hearing
- ☐ identity hearing but request a preliminary hearing be held in the prosecuting district and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charge is pending against me.

David Baker
DAVID BAKER aka Tyrone Jackson
Defendant

T. S. [Signature]
Defense Counsel

3/29/12
Date

Warrant of Removal (After Waiver of Hearing)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

v.

DAVID BAKER aka Tyrone Jackson

Magistrate Case
No. 12MJ0972

WARRANT OF REMOVAL
(After Waiver of Hearing)

To: United States Marshal

A warrant for arrest having been issued in the Eastern District of New York, charging defendant **DAVID BAKER aka Tyrone Jackson** with failure to appear before a court as required by the conditions of release, in criminal case no. CR 96 109, in violation of Title 18, United States Code, Section 3146, and the above-named defendant having been arrested in this district and, after waiving hearing pursuant to Federal Rules of Criminal Procedure 40 and 5(c)(3), having been committed by a United States Magistrate Judge to your custody pending his removal to that district,

You are hereby commanded to commit the above-named defendant forthwith to the Eastern District of New York and there deliver him to the United States Marshal for that district or to some other officer authorized to receive him.


HON. JAN M. ADLER
United States Magistrate Judge

Dated at San Diego, California, this 29th day of March, 2012.

RETURN

Eastern District of New York (at Brooklyn)

ss

Received the within warrant of removal the _____ day of _____, 2012, and executed same.

U. S. Marshal

By _____
Deputy Marshal

UNITED STATES DISTRICT COURT

Southern District of California

Office Of The Clerk
880 Front Street, Room 4290
San Diego, California 92101-8900
Phone: (619) 557-5600
Fax: (619) 702-9900

W. Samuel Hamrick, Jr.,
Clerk of Court

April 6, 2012

Clerk, U.S. District Court
Eastern District of New York
225 Cadman Plaza East, Room 118S
Brooklyn, NY 11201-1818

Re: USA v. David Baker , Case No. 3:12-mj-00972-JMA

Dear Clerk of the Court:

Enclosed please find copies of the following documents in connection with removal proceedings conducted in this District regarding the defendant(s) David Baker : Certified copy of transfer order, Certified Docket Sheet, Out of District Complaint (copy), Warrant of Removal (copy), Waiver of Removal (copy) .

Please acknowledge receipt on the copy of this letter and return. Thank you.

Sincerely yours,

W. Samuel Hamrick, Jr.,
Clerk of the Court

By: s/ R. Uran, Deputy Clerk

Copy to Attorney for Plaintiffs:
Copy to Attorney for Defendants:

RECEIVED ITEMS DESCRIBED

THIS DATE OF _____
AND ASSIGNED CASE NUMBER _____

CLERK, U.S. DISTRICT COURT

By: _____, Deputy

CLOSED

**U.S. District Court
Southern District of California (San Diego)
CRIMINAL DOCKET FOR CASE #: 3:12-mj-00972-JMA-1
Internal Use Only**

Case title: USA v. Baker

Date Filed: 03/19/2012

Date Terminated: 03/29/2012

Assigned to: Magistrate Judge Jan M.
Adler

Defendant (1)**David Baker***TERMINATED: 03/29/2012**also known as***Tyrone Jackson***TERMINATED: 03/29/2012*represented by **Timothy A Scott**

Law Office of Timothy A Scott

1350 Columbia Street

Suite 600

San Diego, CA 92101

(619)794-0451

Fax: (619)652-9964

Email: tscott@timscottlaw.com

LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Designation: CJA Appointment***Pending Counts**

None

Disposition**Highest Offense Level (Opening)**

None

Terminated Counts

None

Disposition**Highest Offense Level (Terminated)**

None

Complaints

18:3146 - Failure to Appear Before a
Court As Required By the Conditions of

Disposition

Release

Plaintiff**USA**represented by **U S Attorney CR**U S Attorneys Office Southern District
of California

Criminal Division

880 Front Street

Room 6293



San Diego, CA 92101


(619)557-5610

Fax: (619)557-5917

Email: Efile.dkt.gc2@usdoj.gov

LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Designation: Assistant United States
Attorney*

Date Filed	#	Docket Text
03/16/2012		Arrest of David Baker (pvm) (cap). (Entered: 03/19/2012)
03/19/2012	 <u>1</u>	OUT OF DISTRICT COMPLAINT as to David Baker. (Attachments: # <u>1</u> Info Sheet / Arrest Warrant (EDNY)) (pvm) (cap). (Entered: 03/19/2012)
03/19/2012	2	Set/Reset Duty Hearings as to David Baker: Initial Appearance - ODC set for 3/19/2012 before Magistrate Judge Jan M. Adler. (jer) (Entered: 03/19/2012)
03/19/2012	3	Minute Entry for proceedings held before Magistrate Judge Jan M. Adler: Initial Appearance - Out of District Complaint as to David Baker held on 3/19/2012. Attorney Timothy A Scott (n/a) provisionally appointed for David Baker. No bail set. Financial Affidavit due by 3/29/12. Removal/ID Hearing and Status Hearing re Counsel set for 3/29/2012 02:00 PM before Magistrate Judge Jan M. Adler. (CD# 3/19/2012 14:51-14:55). (AUSA Michael Lizano). (Defendant Attorney Ryan Stitt, FD-S/A). (pdc) (Entered: 03/20/2012)
03/19/2012	4	***English. No Interpreter needed as to David Baker (pdc) (Entered: 03/20/2012)
03/29/2012		(Court only) ***Set/Clear Flags as to David Baker (rla) (Entered: 03/29/2012)
03/29/2012	5	Minute Entry for proceedings held before Magistrate Judge Jan M. Adler: Removal/ID Hearing as to David Baker held on 3/29/2012. Dft waives hrg. Order filed. (CD# 3/29/2012 JMA12-1-14:24-14:29). (Plaintiff Attorney Warren Williams, AUSA). (Defendant Attorney Timothy Scott, CJA). (rla)

		(Entered: 03/29/2012)
03/29/2012	<u>6</u>	WAIVER of Rule 5(c) and 5.1(a) Hearings by David Baker. (rlu) (Entered: 04/06/2012)
03/29/2012	 <u>7</u>	WARRANT of Removal to District of New York (at Brooklyn) Issued as to David Baker. (rlu) (Entered: 04/06/2012)
03/29/2012	<u>8</u>	Case removed to District of *Eastern District of New York**225 Cadman Plaza East, Room 118S**Brooklyn, NY 11201-1818* as to *David Baker*. Sent certified copy of transfer order*, Certified Docket Sheet, Out of District Complaint (copy), Warrant of Removal (copy), Waiver of Removal (copy)*. (rlu) (Entered: 04/06/2012)

APR - 6 2012

I hereby attest and certify on _____
 That the foregoing document is a full, true and correct
 copy of the original on file in my office and in my legal
 custody.

CLERK, U.S. DISTRICT COURT
 SOUTHERN DISTRICT OF CALIFORNIA

 R. Uran Deputy